

II. REMARKS

A. Disposition of Claims

Claims 1-40 and 42-58 were pending as of the present Office Action, which states that:

Claims 8, 16, 48 and 57 are rejected under the second paragraph of 35 U.S.C. § 112;

Claims 1, 2, 9-11, 39, 40, 42, 44, 49 and 58 are rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 4,480,715 to Brooks ("Brooks");

Claims 1-3, 7, 39, 40, 42, 43, 47 and 58 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,082,310 to Bauer ("Bauer"); and

Claims 1-16, 39, 40, and 42-58 are rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,501,890 to Mills ("Mills") in view of Bauer.

B. Claim Amendments

Claims 1 and 40 have been amended to more particularly point out and distinctly claim the present invention. Claims 8, 16, 48 and 57 have been amended to overcome the Section 112 rejections thereof.

New claims 59-66 have been added to provide a more adequate basis for protection of the present invention.

C. 35 U.S.C. § 112 Rejection

The rejection of claims 8, 16, 48 and 57 under the second paragraph of 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, is respectfully traversed as being no longer relevant. By this Amendment, each of claims 8, 16, 48, and 57 have been amended to replace "push-type" fasteners with "push fasteners" as suggested in the present Office Action. Accordingly, it is respectfully requested that the rejection of claims

8, 16, 48 and 57 under the second paragraph of 35 U.S.C. § 112 be reconsidered and withdrawn.

D. 35 U.S.C. § 102(b) Rejections

1. § 102(b) over Brooks

The rejection of claims 1, 2, 9-11, 39, 40, 42, 44, 49 and 58 under 35 U.S.C. § 102(b) as being anticipated by Brooks is respectfully traversed based on the following.

Claims 1 and 40 each recite *inter alia*:

a panel having...a fixed portion, a first hinge and a first flap...said first hinge being defined by a path of greater flexibility relative to portions of the panel not included in said path so as to provide a predetermined hinging position¹

Brooks discloses a foam pad, that comprises a foam core material having a fabric cover. The present Office Action alleges that the fabric disclosed in Brooks equates to the panel recited in claims 1 and 40. However, this allegation is respectfully traversed. Brooks fails to disclose or suggest the fabric having a hinge as required by claims 1 and 40. Therefore, since Brooks fails to disclose all of the limitations of claims 1 and 40, Brooks cannot anticipate claims 1 and 40, respectively. Further, for the same reasons, Brooks cannot anticipate claims 2, 9-11, and 39 which depend from claim 1 and Brooks cannot anticipate claims 42, 44, 49, and 58 which depend from claim 40.

Accordingly, it is respectfully requested that the rejection of claims 1, 2, 9-11, 39, 40, 42, 44, 49 and 58 under 35 U.S.C. § 102(b) as being anticipated by Brooks, be reconsidered and withdrawn.

¹ Emphasis added.

2. § 102(b) over Bauer

The rejection of claims 1-3, 7, 39, 40, 42, 43, 47 and 58 under 35 U.S.C. § 102(b) as being anticipated by Bauer is respectfully traversed based on the following.

Claims 1 and 40 each, as amended, recite *inter alia*:

a sheet having a front surface and a back surface...said sheet extending across opposing edges of the panel and being adhesively attached to respective adjacent portions of said back surface of the panel,

Bauer discloses an airbag deployment door assembly, that includes front and back panels separated by a layer of foam. However, Bauer fails to disclose or suggest the front and back panels being adhesively attached as required by claims 1 and 40. In fact, Bauer fails to show the panels making any contact at all. Therefore, since Bauer fails to disclose all of the limitations of claims 1 and 40, Bauer cannot anticipate claims 1 and 40, respectively. Further, for the same reasons, Bauer cannot anticipate claims 2-3, 7, and 39 which depend from claim 1, and Bauer cannot anticipate claims 42, 43, 47, and 58 which depend from claim 40.

Accordingly, it is respectfully requested that the rejection of claims 1-3, 7, 39, 40, 42, 43, 47 and 58 under 35 U.S.C. § 102(b) as being anticipated by Bauer, be reconsidered and withdrawn.

E. 35 U.S.C. § 103(a) Rejection

The rejection of claims 1-16, 39, 40, and 42-58 under 35 U.S.C. § 103(a), as being unpatentable over Mills in view of Bauer, is respectfully traversed based on the following.

As pointed out above, Bauer fails to disclose or suggest the front and back panels being adhesively attached as required by claims 1 and 40. Therefore, while it is acknowledged that the present rejection is based on a combination of Mills and Bauer, it is noted that, since Bauer fails to disclose or suggest all of the limitations of claims 1 and 40,

or claims 2-16 and 39 which depend from claim 1 and claims 42-58 which depend from claim 40, Bauer cannot anticipate or render obvious claims 1-16, 39, 40, and 42-58. As will be discussed next, Mills fails to provide for the deficiencies of Bauer with respect to the present rejection.

Mills, like Bauer, discloses an airbag deployment door assembly, that includes front and back panels separated by a layer of foam. However, Mills, like Bauer, fails to disclose or suggest the front and back panels being adhesively attached as required by claims 1 and 40. Therefore, since Mills and Bauer both fail to disclose or suggest the front and back panels being adhesively attached as required by claims 1 and 40, it follows that the combination of Mills and Bauer fails to disclose or suggest the same. Therefore, since the combination of Mills and Bauer fails to disclose all of the limitations of claims 1 and 40, the combination of Mills and Bauer cannot render obvious claims 1 and 40, respectively. Further, for the same reasons, the combination of Mills and Bauer cannot render obvious claims 2-16 and 39 which depend from claim 1, and the combination of Mills and Bauer cannot render obvious claims 42-58 which depend from claim 40.

Accordingly, it is respectfully requested that the rejection of claims 1-16, 39, 40, and 42-58 under 35 U.S.C. § 103(a), as being unpatentable over Mills in view of Bauer, be reconsidered and withdrawn.

F. New Claims

New claims 59-66 have been added to provide a more adequate basis for protection of the present invention.

Claims 59-62 depend from claim 1, and are therefore considered to be in condition for allowance for at least the same reasons discussed above with regard to claim 1. Claims 63-66 depend from claim 40, and are therefore considered to be in condition for allowance for at least the same reasons discussed above with regard to claim 40.

G. Conclusion

In view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment increases the total number of claims by eight from fifty-seven to sixty-five, but does not increase the number of independent claims and does not present any multiple dependency claims. Accordingly, since the highest total number of claims for which excess claim fees have been submitted heretofore in the present Application is fifty-eight, a Response Transmittal and Fee Authorization form authorizing the amount of \$144.00 to be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260 is enclosed herewith in duplicate. However, if the Response Transmittal and Fee Authorization form is missing, insufficient, or otherwise inadequate, or if a fee, other than the issue fee, is required during the pendency of this application, please charge such fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

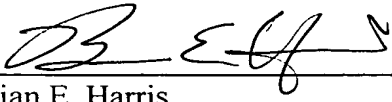
If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document, other than the issue fee, and not submitted herewith should be

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Respectfully submitted,

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